


<b>CRIMINAL DOCKET</b>		DOCKET NUMBER <b>1905CR001001</b>		NO. OF COUNTS <b>7</b>		<b>Trial Court of Massachusetts BMC Department</b>			
DEFENDANT NAME AND ADDRESS <b>Luis A Rivera</b> <b>105 Washington Ave</b> <b>Apt #1</b> <b>Chelsea, MA 02150</b>				DOB <div style="background-color: black; width: 50px; height: 15px;"></div>		GENDER <b>Male</b>		COURT NAME & ADDRESS <b>BMC East Boston</b> <b>37 Meridian Street</b> <b>East Boston, MA 02128-2802</b>	
				DATE COMPLAINT ISSUED <b>10/15/2019</b>					
				PRECOMPLAINT ARREST DATE <b>10/12/2019</b>				INTERPRETER REQUIRED	
FIRST FIVE OFFENSE COUNTS									
COUNT	CODE	OFFENSE DESCRIPTION						OFFENSE DATE	
1	90/23/D	LICENSE SUSPENDED, OP MV WITH c90 §23						10/05/2019	
2	90/25/D	STOP FOR POLICE, FAIL c90 §25						10/09/2019	
3	94C/32/A	DRUG, DISTRIBUTE CLASS A c94C §32(a)						10/09/2019	
4	94C/32A/E	DRUG, DISTRIBUTE CLASS B c94C §32A(a)						10/09/2019	
5	94C/32A/G	DRUG, POSSESS TO DISTRIB CLASS B c94C §32A(a)						10/09/2019	
DEFENSE ATTORNEY <b>Capone De la Cruz</b>				OFFENSE CITY/TOWN <b>Boston</b>		POLICE DEPARTMENT <b>Boston PD - Area A-7</b>			
DATE & JUDGE		DOCKET ENTRY				DATE & JUDGE		FEES IMPOSED	
10-15-19 McDonald		<input checked="" type="checkbox"/> Attorney appointed (SJC R. 3:10) <input type="checkbox"/> Atty denied & Deft. Advised per 211 D §2A <input type="checkbox"/> Waiver of Counsel found after colloquy  Terms of release set: <input type="checkbox"/> PR <input checked="" type="checkbox"/> Bail <b>\$20,000 cash</b> <input checked="" type="checkbox"/> See Docket for special condition <input type="checkbox"/> Held (276 §58A)				10-15-19 McDonald		Counsel Fee (211D § 2A(2)) \$ <b>150</b> <input type="checkbox"/> WAIVED	
10-15-19 McDonald						10-15-19 McDonald		Counsel Contribution (211D § 2) \$ <input type="checkbox"/> WAIVED	
								Default Warrant Fee (276 § 30(1)) \$ <input type="checkbox"/> WAIVED	
								Default Warrant Arrest Fee (276 § 30(2)) \$ <input type="checkbox"/> WAIVED	
10-15-19 McDonald		Arraigned and advised: <input type="checkbox"/> Potential of bail revocation (276 §58B) <input type="checkbox"/> Right to bail to review (276 §58) <input type="checkbox"/> Right to drug exam (111E § 10) <input type="checkbox"/> Inquiry made by Court under 276 § 56A  Abuse Allegation: <input type="checkbox"/> C276 § 56A form filed by Commonwealth <input type="checkbox"/> Allegation of abuse under C276 § 56A found <input type="checkbox"/> No allegation of abuse under C276 § 56A found						Probation Supervision Fee (276 § 87A) \$ <input type="checkbox"/> WAIVED	
								Bail Order Forfeited	
								Advised of right to jury trial: <input type="checkbox"/> Waiver of jury found after colloquy <input type="checkbox"/> Does not waive	
								Advised of trial rights as pro se (Dist. Ct. Supp.R.4)	
								Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28)	
<b>SCHEDULING HISTORY</b>									
NO.	SCHEDULED DATE	EVENT	RESULT			JUDGE	TAPE START/STOP		
1	10/15/2019	Arraignment	<input checked="" type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	11-7-19 PTH	McDonald	10:23-10:29	
2	11-7-19	PTH	<input checked="" type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	10-9-19 C+E	McDonald	11:11-11:14	
3	12/2/19	C+E	<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	1-8-20 C+E	McDonald	11:48	
4			<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	C+E			
5	1-8-20	C+E	<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	2-25-20 waves 30 days not supp	McDonald	10:04-10:07	
6	2-25-20	not supp	<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	4-9-20 C+E	McDonald	9:45-9:54	
7	3-26-20	BF	<input checked="" type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	6-16-20 C+E 11:20			
8	6-11-20	C+E	<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	8-13-20 C+E in person	Admin		
9	6-15-20	BF	<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd	6-15-20 JH	Admin		
10			<input type="checkbox"/> Held	<input type="checkbox"/> Not Held but Event Resolved	<input type="checkbox"/> Cont'd				
<b>APPROVED ABBREVIATIONS</b> ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant recalled PVH = probation revocation hearing									
A TRUE COPY ATTEST:		CLERK-MAGISTRATE / ASST CLERK <b>X</b>				TOTAL NO. OF PAGES		ON (DATE)	



<b>CRIMINAL DOCKET - OFFENSES</b>		DEFENDANT NAME <b>Luis A Rivera</b>		DOCKET NUMBER <b>1905CR001001</b>	
COUNT / OFFENSE <b>1 LICENSE SUSPENDED, OP MV WITH c90 §23</b>				DISPOSITION DATE AND JUDGE	
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12 <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT		SURFINE	
		COSTS		OUI §24D FEE	
		HEAD INJURY ASMT		RESTITUTION	
		VW ASSESSMENT		BATTERER'S FEE	
		OTHER			
FINDING <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause		SENTENCE OR OTHER DISPOSITION			
		<input type="checkbox"/> Sufficient facts found but continued without a finding until: <input type="checkbox"/> Defendant placed on probation until: <input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision <input type="checkbox"/> Defendant placed on pretrial probation (276 §87) until: <input type="checkbox"/> To be dismissed if court costs / restitution paid by:			
		FINAL DISPOSITION		JUDGE                      DATE	
		<input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)			
COUNT / OFFENSE <b>2 STOP FOR POLICE, FAIL c90 §25</b>				DISPOSITION DATE AND JUDGE	
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12 <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT		SURFINE	
		COSTS		OUI §24D FEE	
		HEAD INJURY ASMT		RESTITUTION	
		VW ASSESSMENT		BATTERER'S FEE	
		OTHER			
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		<input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)			
COUNT / OFFENSE <b>3 DRUG, DISTRIBUTE CLASS A c94C §32(a)</b>				DISPOSITION DATE AND JUDGE	
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12 <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT		SURFINE	
		COSTS		OUI §24D FEE	
		HEAD INJURY ASMT		RESTITUTION	
		VW ASSESSMENT		BATTERER'S FEE	
		OTHER			
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		FINAL DISPOSITION		JUDGE                      DATE	
		<input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)			



<b>CRIMINAL DOCKET - OFFENSES</b>		DEFENDANT NAME <b>Luis A Rivera</b>		DOCKET NUMBER <b>1905CR001001</b>	
COUNT / OFFENSE <b>4 DRUG, DISTRIBUTE CLASS B c94C §32A(a)</b>				DISPOSITION DATE AND JUDGE	
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12 <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT		SURFINE	
		COSTS		OUI §24D FEE	
		HEAD INJURY ASMT		RESTITUTION	
		VW ASSESSMENT		BATTERER'S FEE	
		OTHER			
		SENTENCE OR OTHER DISPOSITION <input type="checkbox"/> Sufficient facts found but continued without a finding until: <input type="checkbox"/> Defendant placed on probation until: <input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision <input type="checkbox"/> Defendant placed on pretrial probation (276 §87) until: <input type="checkbox"/> To be dismissed if court costs / restitution paid by:			
FINDING <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible <input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause		FINAL DISPOSITION		JUDGE                      DATE	
		<input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)			
COUNT / OFFENSE <b>5 DRUG, POSSESS TO DISTRIB CLASS B c94C §32A(a)</b>				DISPOSITION DATE AND JUDGE	
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12 <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT		SURFINE	
		COSTS		OUI §24D FEE	
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		<input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged <input type="checkbox"/> Sentence or disposition revoked (see cont'd page)			
COUNT / OFFENSE <b>6 SPEEDING RATE OF SPEED GREATER THAN WAS REASONABLE AND PROPER</b>				DISPOSITION DATE AND JUDGE	
DISPOSITION METHOD <input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12 <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Defendant's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70 C)		FINE/ASSESSMENT		SURFINE	
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COUNT / OFFENSE <b>7 SIGNAL, FAIL TO * c90 §14B</b>			DISPOSITION DATE AND JUDGE												
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CRIMINAL DOCKET DOCKET ENTRIES		DEFENDANT NAME Luis A Rivera	DOCKET NUMBER 1905CR001001
DATE	DOCKET ENTRIES		
10-15-19	Date of offense corrected to 10-12-19.		
10-15-19	Def't posted \$10,000.00 cash at time of arrest - needs to post an additional \$10,000.00 cash to be released for a total of \$20,000.00 cash - GPS + surrender passport prior to release - Home Confinement without prejudice - McDonald		
10-15-19	Commonwealth files motion to revoke bail in Malden court case 1950 CR 2112 - heard and allowed - McDonald - bail revoked for ninety days to expire 1-13-2020. McDonald		
10-25-19	Habeas Corpus Writ set for 10-25-19		
10-25-19	BF - surety to address court regarding bail - 10-25-19 JT - Admin		
10/25/19	910,000 CASH Probation set'd to Surety - McDonald J.		
11-7-19	Comm Files Notice of Intention to Call Expert Witness -		
12/2/19	Def't being held \$20,000 CASH - GPS prior to release - (posted)		
2-25-20	Atty DeLa Cruz files notice of Appearance - def't's in court appearance waived - Def't makes oral motion to modify conditions of release - heard & <u>Allowed</u> over objection of Commonwealth. > curfew 5pm - 8am Monday thru Saturday - Home Confinement on Sunday - * Inclusion zone for GPS during curfew @ work place *		
APPROVED ABBREVIATIONS ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing (over)			



16027

2-25-20 (cont) Deft released today for 3 hours to retrieve belongings from Nashua St Jail.

\* Passport condition VACATED - see affidavit of deft

15-20 - 9:45 - 9:54

McDonald, J.

3-26-20 BF Per BMCD Standing Order 1-20, Court orders rescheduling due to State of Emergency surrounding the Covid - 19 virus (COVID)

6-15-20 BF to address condition of release  
6-15-20 - JH vs Admin

6-15-20 JH held - conditions of Home Confinement modified for hospital stay upon verification  
15-20-12:18 McDonald, J.

7-9-20 BF - violation of condition of release  
7-9-20 JH - Admin

7-9-20 JH - no action taken - Cont'd 8/13/20 C+E

Lymms  
7/24/1



APPLICATION FOR CRIMINAL COMPLAINT
APPLICATION NO. (COURT USE ONLY) TBOS190031307
PAGE 1
Trial Court of Massachusetts EAST BOSTON COURT - BMC
I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused HAS NOT BEEN ARRESTED and the charges involve:
[ ] ONLY MISDEMEANOR(S), I request a hearing [ ] WITHOUT NOTICE, because of an imminent threat of [ ] BODILY INJURY [ ] COMMISSION OF A CRIME [ ] FLIGHT [ ] WITH NOTICE to accused
[ ] ONE OR MORE FELONIES, I request a hearing [ ] WITHOUT NOTICE [ ] WITH NOTICE to accused
[ ] WARRANT is requested because prosecutor represents that accused may not appear unless arrested.
bailed \$10,000
ARREST STATUS OF ACCUSED
[ ] HAS [ ] HAS NOT been arrested
INFORMATION ABOUT ACCUSED
NAME (FIRST MI LAST) AND ADDRESS: RIVERA, LUIS, 105 WASHINGTON AVE, CHELSEA, MA 02150
BIRTH DATE: [REDACTED] SOCIAL SECURITY NUMBER: [REDACTED]
PCF NO. 5335194
MARRITAL STATUS: [REDACTED]
DRIVERS LICENSE NO. S-10377006 STATE MA
GENDER MALE HEIGHT 505 WEIGHT 150 EYES BROWN
HAI BLACK RACE BLACK COMPLEXION DARK SCARS/MARKS/TATTOOS BIRTH STATE OR COUNTRY DAY PHONE
EMPLOYER/SCHOOL MOTHER'S MAIDEN NAME (FIRST MI LAST) FATHER'S NAME (FIRST MI LAST)
CASE INFORMATION
COMPLAINANT NAME (FIRST MI LAST) SGT. DET. BLAS. PO'S FONTANEZ, SLAMIN, DCU A-7 COMPLAINT TYPE [X] POLICE [ ] CITIZEN [ ] OTHER PD BOSTON POLI
ADDRESS 69 PARIS ST E.BOSTON, MA 02128 PLACE OF OFFENSE BOARDMAN ST & ASHLEY ST, BOSTON MA 02128
INCIDENT REPORT NO. 192082662 ORTN TBOS190031307
CITATION NO(S). T-1186925, T-1186925, T-1186925, T-1186927, na,
OFFENSE CODE 23/D-2 DESCRIPTION LICENSE SUSPENDED, OP MV WITH c90 \$23 OFFENSE DATE 10/05/2019
1 VARIABLES (e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual) citation T1186925
OFFENSE CODE 25/D-0 DESCRIPTION STOP FOR POLICE, FAIL c90 \$25 OFFENSE DATE 10/05/2019
2 VARIABLES citation T1186925
OFFENSE CODE 17/E-0 DESCRIPTION SPEEDING RATE OF SPEED GREATER THAN WAS REASONABLE AND PROPER c90 \$10,05 2019
3 VARIABLES citation T1186925
REMARKS COMPLAINTANT'S SIGNATURE DATE FILED 10/15/19
COURT USE ONLY A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON DATE OF HEARING AT TIME OF HEARING COURT USE ONLY
PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY) CLERK/JUDGE
NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:
NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:
HEARING CONTINUED TO:
APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:
[ ] IMMINENT THREAT OF [ ] BODILY INJURY [ ] CRIME [ ] FLIGHT BY ACCUSED
[ ] FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
[ ] FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION
COMPLAINT TO ISSUE COMPLAINT DENIED CLERK/JUDGE
10/15/19
[ ] PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S) 1. 2. 3. BASED ON
[ ] FACTS SET FORTH IN ATTACHED STATEMENT(S)
[ ] TESTIMONY RECORDED: TAPE NO. START NO. END NO.
[ ] WARRANT [ ] SUMMONS TO ISSUE
ARRAIGNMENT DATE:
[ ] NO PROBABLE CAUSE FOUND
[ ] REQUEST OF COMPLAINANT
[ ] FAILURE TO PROSECUTE
[ ] AGREEMENT OF BOTH PARTIES
[ ] OTHER:
COMMENT
over ->

# APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. (COURT USE ONLY)  
TBOS190031307  
16029

PAGE 2 of 3

Case 1:20-cv-00216-MSM-PAS Document 339-3 Filed 08/07/20 Page 8 of 15 PageID #: 16029



I, undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

ANY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE**, because of an imminent threat of BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ **WITH NOTICE** to accused  
ONE OR MORE FELONIES, I request a hearing ☐ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused

A WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED  
☒ HAS BEEN ARRESTED

## INFORMATION ABOUT ACCUSED

(FIRST MI LAST) AND ADDRESS

RIVERA, LUIS  
105 WASHINGTON AVE  
CHELSEA, MA 02150

BIRTH DATE

SOCIAL SECURITY NUMBER

POB NO.

MARITAL STATUS

DRIVERS LICENSE NO.  
S-10377006

STATE  
MA

GENDER  
MALE

HEIGHT  
505

WEIGHT  
150

EYES  
BROWN

RACE  
BLACK

COMPLEXION  
DARK

SCARS/MARKS/TATTOOS

BIRTH STATE OR COUNTRY

DAY PHONE

EDUCATION/SCHOOL

MOTHER'S MAIDEN NAME (FIRST MI LAST)

FATHER'S NAME (FIRST MI LAST)

## CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)

SGT. DET. BLAS. PO'S FONTANEZ, SLAMIN, DCU A-7

COMPLAINANT TYPE

PD

ADDRESS  
69 PARIS ST  
E.BOSTON, MA 02128

PLACE OF OFFENSE

BOARDMAN ST & ASHLEY ST, BOSTON, MA 02128

INCIDENT REPORT NO.

192082662

CITATION NO(S)

T-1186925, T-1186926, T-1186927, T-1186928, T-1186929, T-1186930, T-1186931, T-1186932, T-1186933, T-1186934, T-1186935, T-1186936, T-1186937, T-1186938, T-1186939, T-1186940, T-1186941, T-1186942, T-1186943, T-1186944, T-1186945, T-1186946, T-1186947, T-1186948, T-1186949, T-1186950, T-1186951, T-1186952, T-1186953, T-1186954, T-1186955, T-1186956, T-1186957, T-1186958, T-1186959, T-1186960, T-1186961, T-1186962, T-1186963, T-1186964, T-1186965, T-1186966, T-1186967, T-1186968, T-1186969, T-1186970, T-1186971, T-1186972, T-1186973, T-1186974, T-1186975, T-1186976, T-1186977, T-1186978, T-1186979, T-1186980, T-1186981, T-1186982, T-1186983, T-1186984, T-1186985, T-1186986, T-1186987, T-1186988, T-1186989, T-1186990, T-1186991, T-1186992, T-1186993, T-1186994, T-1186995, T-1186996, T-1186997, T-1186998, T-1186999, T-1187000, T-1187001, T-1187002, T-1187003, T-1187004, T-1187005, T-1187006, T-1187007, T-1187008, T-1187009, T-1187010, T-1187011, T-1187012, T-1187013, T-1187014, T-1187015, 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APPLICATION FOR  
CRIMINAL COMPLAINT

APPLICATION NO. (COURT USE ONLY)  
TBOS190031307  
16030

PAGE 3  
FILED 08/07/20  
Page 9 of 15  
PageID #: 16030

I, the undersigned complainant, request that a criminal complaint issue against the accused charged with the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

- ☐ A FELONY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE**, because of an imminent threat of BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ **WITH NOTICE** to accused
- ☐ TWO OR MORE FELONIES, I request a hearing ☐ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused
- ☐ A WARRANT is requested because prosecutor represents that accused may not appear unless arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS

RIVERA, LUIS  
105 WASHINGTON AVE  
CHELSEA, MA 02150

DATE OF BIRTH

SOCIAL SECURITY NUMBER

DOB NO.

MARITAL STATUS

DRIVERS LICENSE

10377105

ORDER

HEIGHT

WEIGHT

MALE

505

50

HAIR COLOR RACE COMPLEXION SCARS/MARKS/TATTOOS

Blk Black DARK

BIRTH STATE OR COUNTRY DAY MONTH YEAR

EDUCATION

MOTHER'S MAIDEN NAME (FIRST MI LAST)

FATHER'S NAME (FIRST MI LAST)

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)

SGT. DET. BLAS. PO'S FONTANEZ, SLAMIN, DCU A-7

COMPLAINANT TYPE

103

TYPE OF OFFENSE

WARDEN OF MASS. EN ST, BOSTON, MA 02

INCIDENT REPORT NO

102182662

103

TBOS19 31307

NON-PROSECUTED

103045, T-314

103045

103045

OFFENSE CODE

1032A/G-1

DESCRIPTION

DRUG, POSSESS TO DISTRIB CLASS B c94C \$32A(1)

VARIABLES (e.g. victim name, controlled substance, type and value of property, other variable information; see non-prosecuted page 103045) 05/2019 (DATE OF OFFENSE), COCAINE (TYPE OF CLASS B DRUG)

OFFENSE CODE

DESCRIPTION

VARIABLES

OFFENSE CODE

DESCRIPTION

VARIABLES

REMARKS

COMPLAINANT'S SIGNATURE

DATE

COURT USE ONLY

A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON

DATE OF HEARING

AT

HEARING

COURT

ONLY

PROCESSING OF NON-ARREST APPLICATION

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:

NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:

HEARING CONTINUED TO:

APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:

- ☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED
- ☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
- ☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

COMPLAINT TO ISSUE

☒ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S) ☒ 1. ☐ 2. ☐ 3. BASED ON

☒ FACTS SET FORTH IN ATTACHED STATEMENT(S)

☐ TESTIMONY RECORDED: TAPE NO. \_\_\_\_\_

START NO. \_\_\_\_\_ END NO. \_\_\_\_\_

☐ WARRANT ☐ SUMMONS TO ISSUE

ARRAIGNMENT DATE: \_\_\_\_\_

- ☐ NO PROBABLE CAUSE FOUND
- ☐ REQUEST OF COMPLAINANT
- ☐ FAILURE TO PROSECUTE
- ☐ AGREEMENT OF BOTH PARTIES
- ☐ OTHER: \_\_\_\_\_
- COMMENT

10/15/19  
am


**Boston Police Department**
**Report Date:** 10/12/2019 19:48

**Arrest Booking Form**
**Booking Status:** Verified

**Printed By:** Fontanez, Peter

**District:** 07 **UCR Code:** 1841

**OBTN:** TBOS190031307

**Court of Appearance:** East Boston District Court

**Master Name:** RIVERA, Luis A

**Age:** 59

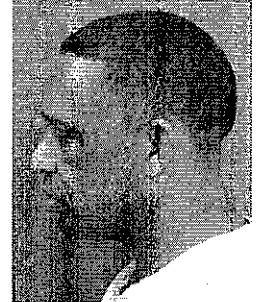
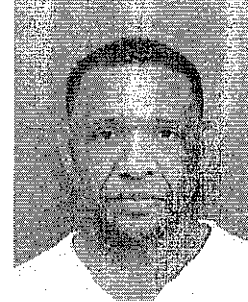
**Location of Arrest:** Ashley St & Boardman St, East Boston

**Booking Name:** RIVERA, Luis A

**Alias:**
**Address:** 105 Wasshington Ave, CHELSEA MA 02150

**US**
**Charges:**

Distribution of Class A, Drugs (94C-32)  
 Distribution of Class B, Drugs (94C-32A)  
 Operating after Revocation or Suspension (90-23)  
 Failure to Stop for a Police Officer (90-25)  
 Possession W/I to Distribute, Class A, Drugs (94C-32)


**Booking #:** 19-00313-07

**Incident #:** 192082662

**CR Number:** 502446-19

**Booking Date:** 10/12/2019 13:22

**Arrest Date:** 10/12/2019 13:15

**RA Number:**

<b>Sex:</b> Male	<b>Height:</b> 5'05	<b>Occupation:</b>
<b>Race:</b> Black Hispanic	<b>Weight:</b> 150 lbs	<b>Employer/School:</b>
<b>Date of Birth:</b> [REDACTED]	<b>Build:</b> Medium	<b>Emp/School Addr:</b> MA US
<b>Place of Birth:</b> PUERTO RICO US	<b>Eyes Color:</b> Brown	<b>Social Sec. Number:</b>
<b>Marital Status:</b>	<b>Hair Color:</b> Black	<b>Operators License:</b> S10377006
<b>Mother's Name:</b>	<b>Complexion:</b> Medium Brown	<b>State:</b> MA
<b>Father's Name:</b>		

<b>Phone Used:</b> No	<b>Scars/Marks/Tattoos:</b>
<b>Examined at Hospital:</b> No	<b>Clothing Desc:</b> green hoody, blue jeans, white t shirt
<b>Breathalyzer Used:</b> No	
<b>Examined by EMS:</b> No	

<b>Arresting Officer:</b> BPD 09282 Fontanez, Peter	<b>Cell Number:</b> 3
<b>Booking Officer:</b> BPD 10890 McSorley, Joseph	<b>Partner's #:</b> 80411
<b>Informed of Rights:</b> BPD 11982 SLAMIN, Richard	<b>Unit #:</b> V132
<b>Placed in Cell By:</b> BPD 10890 McSorley, Joseph	<b>Trans Unit #:</b> G415D
<b>Searched By:</b> BPD 11982 SLAMIN, Richard	

<b>Cautions:</b>	<b>Booking Comments:</b>	<b>Visible Injuries:</b> na
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<b>Person Notified:</b>	<b>JUVENILE INFORMATION</b>	<b>Phone:</b>
<b>Address:</b>	<b>Relationship:</b>	
<b>Notified By:</b>	<b>Juv. Prob. Officer:</b>	
	<b>Notified Date/Time:</b>	

<b>Bail Set By:</b>	<b>I Selected the Bail Comm.</b>
<b>Bailed By:</b>	
<b>Amount:</b>	<b>Signature of Prisoner</b>

<b>BOP Check:</b> BPD 10890 McSorley, Joseph	
<b>Suicide Check:</b>	
<b>BOP Warrant:</b>	
<b>BOP Court:</b>	<b>Signature of Duty Supervisor</b>




**Boston Police**  
 DEPARTMENT

1 SCHROEDER PLAZA | BOSTON, MA 02120

## Boston Police Department

**# 192082662 - Offense/Incident Report Cover Sheet**

REPORTED ON DATE / TIME Oct 12, 2019 16:55	DISTRICT / SECTOR / REPORTING AREA A7 / G411	OCCURRED FROM DATE / TIME - OCCURRED TO DATE / TIME Oct 12, 2019 13:10
-----------------------------------------------	-------------------------------------------------	---------------------------------------------------------------------------

**OFFENSE-1**

OFFENSE CODE

DRUGS - POSSESSION/ SALE/ MANUFACTURING/ USE

OFFENSE LOCATION

525 WILLIAM F MCCLELLAN HWY, WALDEMAR AVE & DEAD END, EAST  
BOSTON, MA 02151

OCCURRED FROM DATE/TIME

Oct 12, 2019 13:15

**OFFENSE-2**

OFFENSE CODE

DRUGS - POSSESSION/ SALE/ MANUFACTURING/ USE

OFFENSE LOCATION

ASHLEY ST &amp; BOARDMAN ST, BOSTON, MA 02128

OCCURRED FROM DATE/TIME

Oct 12, 2019 13:15

**OFFENSE-3**

OFFENSE CODE

VAL - OPERATING AFTER REV/SUSP.

OFFENSE LOCATION

ASHLEY ST &amp; BOARDMAN ST, BOSTON, MA 02128

OCCURRED FROM DATE/TIME

Oct 12, 2019 13:10

**INVOLVED PERSONS**

INVOLVEMENT	NAME	HOME ADDRESS	DOB / ESTIMATED AGE RANGE	RACE	SEX
S-3	Carmen Quintin	241 BRANDYWYNE DR EAST BOSTON, MA 02128		Other	Female
S-1	Urbano Meola	231 COURT RD WINTHROP, MA 02152		White	Male
S-2	Luis A Rivera	105 WASHINGTON AVE CHELSEA, MA 02150		Black	Male

**INVOLVED ORGANIZATIONS**

INVOLVEMENT	NAME	ADDRESS
V-2	City of Boston	
V-1, R-1	Commonwealth of Massachusetts	

**INVOLVED PROPERTY**

STATUS	ITEM CATEGORY	DESCRIPTION
Impounded/Seized	Heroin	1 p/b
STATUS	ITEM CATEGORY	DESCRIPTION
Impounded/Seized	Cell Phone	Apple Iphone

REPORTING OFFICER SIGNATURE / DATE RICHARD SLAMIN #011982 Oct 12, 2019 22:43 (e-signature) PRINT NAME RICHARD SLAMIN #011982	SUPERVISOR SIGNATURE / DATE MANUEL BLAS #080411 Oct 12, 2019 22:44 (e-signature) PRINT NAME MANUEL BLAS #080411
---------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------

STATUS	ITEM CATEGORY	DESCRIPTION
Impounded/Seized	US Currency/ Coins	US Currency
Impounded/Seized	Cell Phone	Damaged AT&T flip cell phone
Impounded/Seized	Cocaine	1 p/b Cocaine
Impounded/Seized	Documents/ Personal Or Business	RMV Documents
Impounded/Seized	Documents/ Personal Or Business	Western Union Money Transfer Receipts
Impounded/Seized	Drug/ Narcotic Equipment	Empty Sandwich Baggies
Impounded/Seized	Cocaine	p/b
Impounded/Seized	Cell Phone	Apple Iphone

#### INVOLVED VEHICLES

STATUS	ITEM CATEGORY	MAKE / MODEL / PRIMARY COLOR
Towed	Passenger Car/ Automobile	Audi: Audi / A6 / Black

#### NARRATIVE

About 13:10 PM on Saturday, 10/12/2019 members of the A7/DCU under the direction of Sgt Det Blas conducted a drug investigation in the Orient Heights section of East Boston. Specifically the Orient Heights MBTA train station which is known to officers for an abundance of drug related activities and where officers have effected numerous drug arrests in the past.

Officers while conducting the investigation observed MA Reg 1RHW58 (2008 Audi A6) pull up and park on the inbound side on Bennington Street parallel to the Orient Heights MBTA station. Officer Fontanez observed the operator (later identified as Luis Rivera) as the car was parked to be scanning the immediate area intently while utilizing a cell phone. Seconds later, Officer Fontanez observed a male (later identified as Urbano Meola) walking from the Saratoga Street / Bennington Street intersection on the same side as the vehicle walking towards Rivera while also utilizing a cellphone. Meola appeared to terminate his call and seconds after entered the vehicle via the front passenger side door. Officer Fontanez notified additional DCU to which Sgt Det Blas and Officer Slamin responded.

Once Meola was in the vehicle, it proceeded inbound on Bennington Street, took a right on to Breed Street, proceeded past Ford Street and then took a left on to Ashley Street. Just before the intersection of Ashley Street / Boardman Street, the vehicle pulled over to the right and Meola then exited and proceeded to walk inbound on Boardman Street (towards location originally picked up) as Rivera proceeded outbound towards McLellan Highway. Due to the actions of both parties accompanied by officers training and experience, officers made attempts to conduct inquiries of both parties. Officer Fontanez approached Meola as Sgt Det Blas and Officer Slamin followed Rivera.

Officer Fontanez with badge displayed on his outer most garment approached Meola, announced his office and advised him of officers prior observations. Officer Fontanez then asked Meola if he possessed any items that he shouldn't to which Meola stated, " Yes, I have some in my pocket and I just bought from the guy in the car" who Meola later identifies as "Papi". Officer Fontanez did recovery two individually wrapped p/b's of both a brown and white powder like substance believed to be Class A Heroin and Class B Cocaine. Simultaneous to this conversation, Sgt Det Blas and Officer Slamin (in separate vehicles) were attempting to catch up to Rivera who took a right onto McLellan

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RICHARD SLAMIN #011982 Oct 12, 2019 22:43 (e-signature)	MANUEL BLAS #080411 Oct 12, 2019 22:44 (e-signature)
PRINT NAME	PRINT NAME
RICHARD SLAMIN #011982	MANUEL BLAS #080411

Highway outbound towards Revere. Rivera was observed by Sgt Det Blas and Officer Slamin to be operating his vehicle at a high rate of speed. Sgt Det Blas with both emergency lights and sirens applied had to accelerate to speeds approximately 60 to 65 mph to catch up to vehicle Rivera was operating. Once directly behind the vehicle, Rivera proceeded to make multiple improper lane changes as Sgt Det Blas continued to attempt a stop. At that point, Officer Fontanez advised DCU members of the recovery of drugs from Meola.

Officer Slamin notified operations of Sgt Det Blas's attempts to make a traffic stop as Rivera then began to exit on to Revere Rt 16 exit. During this time, Sgt Det Blas observed Rivera to have his left hand on the steering wheel while operating the vehicle. Rivera was further observed to bend his upper body forward towards the driver side floor board and return to an upright position. Once in that position, Sgt Det Blas observed Rivera take his right hand and place it to his mouth area. Rivera repeated this action multiple times. When Rivera terminated those actions he then took an immediate left (U-turn) and initially proceeded to return to McLellan Highway. When the U turn was completed, Rivera then took an immediate right on to Railroad Street in Revere, began to operate the vehicle at a slow speed and finally park in front of a commercial business (146 Railroad Street). Both Sgt Det Blas and Officer Slamin exited their vehicle and made multiple verbal commands to see Rivera's hands. Officer Slamin on approach observed Rivera then appear to break a cell phone and make a tossing motion underneath his seat. Rivera then exited the vehicle and was taken into custody. Note Sgt Det Blas did recover from initial search of Rivera's person two separate bill folds of multiple denominations (\$441.00 Left front pants pocket, \$220.00 Right front pants pocket and within wallet left rear pocket \$324.00) for a total of \$985.00 US Currency. An additional \$73.00 US Currency was also seized within the vehicle and total seized was \$1058.00 from Rivera.

Officers requested a transport to which Officer Sullivan responded and transported Rivera to Area A7. Officer Slamin on scene did observe multiple cellphones (one being damaged) and (4) medium sized empty sandwich baggies underneath the driver side seat. During the initial search of vehicle, in between the driver seat and the center console was observed to be an individually wrapped p/b of a white powder like substance believed to be Class B Cocaine. Note: the suspected Cocaine recovered from the vehicle was consistent in shape, color and size as the suspected Cocaine that was recovered from Meola. The vehicle was brought back to Area A7 for further search.

The drugs were seized and logged into Area A7 Drug Log Book #42, Page #121 and placed into District Drug Safe. Pursuant to drug Laws, Rivera's Cellphone (Red iPhone, Gray iPhone, and damaged Black At&t flip phone) and US Currency \$1058.00 were seized, seized money form completed and transported to BPD Headquarters Money Safe. The multiple empty sandwich baggies, Western Union money transfer receipts, copy of registration and copy of document pertaining to true mileage of the vehicle in name of Rivera were also seized and held as evidence. The vehicle was towed by Todisco Tow, Claim #10846, Form 2012 completed and tow line notified spoke with Richtberg. Officer Slamin did process the vehicle and take photos of all evidence seized. With respect to the damaged AT&T flip phone, it should be noted that although the upper portion (Screen) was inoperable, the bottom portion continued to function and rang multiple times while in police custody.

At booking Post Miranda, Officer Slamin advised Rivera of prior observation of Rivera possibly ingesting harmful contraband during the attempted stop of the vehicle. Officers asked Rivera if he ingested drugs to which he initially denied. Sgt Det Blas notified the Duty Supervisor (Sgt Buckley) of officers prior observation and for the safety of Rivera, EMS was requested to the station. Rivera while on the phone prior to transport to hospital advised unknown person that he was placed under arrest for having no drivers license and the police found some things in the car. Rivera further stated he was now being taken to the hospital for having swallowed some things. The aforementioned statements were made in the presence of Sgt Det Blas. Suspect Rivera was transported, evaluated and discharged from Mass General Hospital, then transported back to Area A7. It should be noted that medical staff at the hospital advised Rivera of the risks of death and serious bodily harm that the ingested drugs posed. In spite of this, Rivera declined further medical treatment and signed paperwork which acknowledged this.

REPORTING OFFICER SIGNATURE / DATE

RICHARD SLAMIN #011982 Oct 12, 2019 22:43 (e-signature)

PRINT NAME

RICHARD SLAMIN #011982

SUPERVISOR SIGNATURE / DATE

MANUEL BLAS #080411 Oct 12, 2019 22:44 (e-signature)

PRINT NAME

MANUEL BLAS #080411

Suspect Rivera charged with the following: 16035

CH 94c-32 Distribution of Class A Substance

CH 94c-32A Distribution of Class B Substance

CH 94c-32A Possession W/I to Distribute Class B Substance

CH 90/23 Operating M/v after Suspension / Revocation

CH 90/25 Fail to Stop for Police Officer

Suspect Meola to be summonsed to East Boston District Court for CH 94c-34 Possession of Class A Substance and CH 94c-34 Possession of Class B Substance.

Suspect Rivera issued Ma Uniform Citation's #T1186925 and I1186927 for additonal violations of the auto laws.

The registered owner of the vehicle Ms. Carmen Quintin was also summonsed to East Boston District Court for CH 90 /12 Allowing improper Person to operate m/v and issued MA Uniform Citation #T1186926 for same auto law violation.

ADA Goheen was notified of this incident.

REPORTING OFFICER SIGNATURE / DATE

RICHARD SLAMIN #011982 Oct 12, 2019 22:43 (e-signature)

PRINT NAME

RICHARD SLAMIN #011982

SUPERVISOR SIGNATURE / DATE

MANUEL BLAS #080411 Oct 12, 2019 22:44 (e-signature)

PRINT NAME

MANUEL BLAS #080411



MASSACHUSETTS VIOLATION CITATION										TYPE OF CITATION	
DATE WRITTEN (MM/DD/YY)		AGENCY CODE		OFFICER ID. NUMBER		COURT CODE		<input checked="" type="checkbox"/> OPERATOR <input type="checkbox"/> PASSENGER <input type="checkbox"/> BICYCLIST		<input checked="" type="checkbox"/> OWNER <input type="checkbox"/> BICYCLIST	
10/12/19		DCA A7		9282		05		<input type="checkbox"/> PASSENGER <input type="checkbox"/> BICYCLIST		<input type="checkbox"/> OWNER <input type="checkbox"/> BICYCLIST	
MOTOR VEHICLE LICENSE NO. OF VIOLATOR		VIOLATOR NAME (Last)		(First)		STATE		CLASS		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
S-10337906		LIVERA		Luis		MA		D		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
VIOLATOR NAME (Last)		ADDRESS		CITY/TOWN		STATE		ZIP		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
105 WASHINGTON ST #1		CHASMA		MA		02150		MA		02150	
DATE TYPE VEHICLE REGISTRATION NO.		STATE		YEAR		MAKE AND TYPE		COLOR		COL. VEHICLE	
10/12/19		MA		08		AUDI A4		Blue		No	
OFFENSE DATE (MM/DD/YY)		LOCATION OF OFFENSE (Interstate #, St. Hwy, City or Town)		DESCRIPTION OF OFFENSE		ASSESSMENT		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
10/12/19		1211A		Improper Lane Change		\$		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
OFFENSE TYPE		CLASS/SEC SUB		CRIM		CRIM		CRIM		CRIM	
A		90		146		1211A		Improper Lane Change		\$	
B										\$	
C										\$	
D. SPEEDING		90/17		90/18		CIVIL		CIVIL		CIVIL	
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